## **MINUTES**

## ADVISORY BOARD OF ATHLETIC TRAINERS JULY 21, 1999

The meeting was called to order at 9:00 a.m. by Chairman Saly and a quorum was established. Board members present were Kaye Cosby, John Harvey, Michael Saly, Natalie Steadman, Michael (Spanky) Stephens, and Paul Zeek. Others present were Bill Wissen, Executive Secretary; T. Ross Bailey, Associate Executive Secretary; Jim Zukowski, Ed.D., Division Director; Kathy Craft, Program Director; C. David Richards, III, Program Attorney; and Stephen Mills, Program Administrator. The chairman stated that all persons named in the agenda were advised in writing of the agenda item relating to him or her. Gina Pace and Don Zylks registered as guests.

The first order of business was presentation of the James W. Shuffield, M.D. Award. Paul Zeek made remarks about Dr. Shuffield's service with the board in the 1970s and his continuing contributions to sports medicine in Texas. Chairman Saly presented Dr. Shuffield with the award and with the board's resolution establishing the award in his honor.

The second order of business was public comment. No one addressed the board.

The third order of business was approval of minutes of the January 7, 1999 meeting. A motion was made, seconded, and passed unanimously to approve the minutes as written.

**Agenda item number 5** was discussion and possible action concerning absent board members. All board members were present; no action was taken.

The next order of business was the staff report. Stephen Mills provided information on the Attorney General's Government Law Conference to be held October 11-12, 1999. Dr. Zukowski distributed and discussed Attorney General Opinion JC-0050 regarding the duties imposed on licensing boards by the Americans with Disabilities Act regarding qualified individuals with disabilities. Stephen Mills presented an update on the the board's web page activity and distributed a report concerning complaints closed and received since the January 7, 1999 meeting.

A staff report was presented concerning rulemaking required by 1999 legislative changes to Texas Civil Statutes, Art. 4512d and the rule review required by the General Appropriations Act, Article IX, Rider 167 (1997). Board staff has determined that combining the Rider 167 review process with the rulemaking process for new and revised rules necessitated by 1999 legislative changes would be efficient and cost-effective. Staff recommended a timeline to accomplish the rulemaking by July 2000. At this time, the board took up **agenda item number 15** which was discussion and possible action concerning a notice of intent to review rules to comply with Rider 167. The board reviewed the draft notice of intent. **A motion was made, seconded and passed** unanimously to publish the notice in the *Texas Register* for a 30-day public comment period. The board returned to the staff report, which was **agenda item number 6**. Staff presented a report to the board regarding the impact of 1999 legislation on the board's rules. New and amended rules will be required under SB1233, HB2085, HB3155, and HB2824. HB3155 relating to the Occupations Code was discussed at length and a draft copy of the Athletic Trainers Act (the Act) was recommended to be approved for distribution. The document consists of the Act as revised and

**Agenda item number 7** was the financial report. Dr. Zukowski distributed a summary of financial activity for FY99 through April 1999. No action was taken on the report.

codified in the Occupations Code effective September 1, 1999, as well as the new and amended provisions of Texas Civil Statutes, Art. 4512d, which continue in effect. The board directed staff to implement the use of the revised document.

The next order of business was the Executive Secretary's report. Mr. Wissen reported that 110 new license numbers were assigned since the January meeting. No action was taken on the report.

The next order of business was the Administrative Services Committee report. Mr. Zeek reported that there are fewer deficient applications since the application process has been streamlined. The Program Administrator has begun approving applications for examination which clearly meet the requirements of 25 TAC §313.5 (Qualifications). All other applications are forwarded to the Administrative Services Committee for review and action. No action was taken on the report.

The next order of business was discussion and possible action concerning the Continuing Education Committee report. Mr. Bailey reported that the committee is current on processing continuing education approval requests. No action was taken on the report.

Agenda item number 11 was discussion and possible action concerning the Examination Committee report. The chair distributed statistical information on cumulative pass rates on the licensure examination and graphs depicting total candidates and candidate site distribution. The chair and staff discussed costs associated with administration of the May 1999 licensure examination. A report was distributed itemizing all examination costs and revenue which revealed that the approximate cost per initial examination candidate is \$149.79. Costs for the May 1999 examination exceeded examination revenue by approximately \$6529.16. A board member suggested that examination fees be raised to \$75 for the written and \$125 for the oral/practical to cover the cost of examination administration. The board will consider the matter in January 2000 when it reviews the proposal for rulemaking required under Rider 167. No action was taken on the report.

The next order of business was discussion and possible action concerning contracts for Executive Secretary Emeritus, Executive Secretary, and Associate Executive Secretary. Draft contracts were distributed and discussed. A motion was made, seconded, and passed to approve the contracts as written.

The next order of business was discussion and possible action concerning comments to proposed amendments to 25 Texas Administrative Code (TAC) Chapter 313, published in the June 18, 1999 issue of the *Texas Register* (24 TexReg 4528). The amendments relate to qualifications for licensure and continuing education requirements. No comments were received. No action was taken.

Agenda item number 14 was discussion and possible action concerning final adoption of proposedamendments to 25 Texas Administrative Code (TAC) Chapter 313, published in the June 18, 1999 issue of the *Texas Register* (24 Texas Reg 4528). No comments were received. A motion was made, seconded, and passed to adopt amendments to 25 TAC §§313.5 and 313.13 as published concerning qualifications for licensure and continuing education requirements. The chair signed an order adopting the rules.

Agenda item number 16 was election of officers. A motion was made, seconded, and passed to continue with the same officers and committee appointments over the next year.

The next order of business was other business not requiring action. Dr. Zukowski briefly discussed several bills passed by the 76th Legislature that affect the operation of state agencies. A board member requested that the board maintain statistical information regarding the ethnicity of licensed athletic trainers in Texas. No action was taken.

The next order of business was setting of the next meeting date. The board will meet Wednesday, January 26, 2000 in Austin, Texas.

The last order of business was adjournment. A motion was made, seconded, and passed unanimously to adjourn at 10:45 a.m.